UNITED STATES PATENT AND TRADEMARK OFFICE

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SCIENTIFIC-ATLANTA, INC.
INTELLECTUAL PROPERTY DEPARTMENT
5030 SUGARLOAF PARKWAY
LAWRENCEVILLE, GA 30044

EXAMINER
VU, NGOC K

ART UNIT	PAPER NUMBER
2623	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>25 May 2006</u>.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

Response to Arguments

1.   Applicant's arguments filed 5/25/06 have been fully considered but they are not persuasive.

Applicant merely argues that White fails to disclose, teach or suggest the limitations "associating each one of the television menus of the plurality of television menus to a corresponding one of the plurality of television channels provided by the respective plurality of television services" and "a corresponding one of the television menus of the plurality of television menus is provided for each and every television channel of the plurality of television channels in response to selection thereof, the provided corresponding one of the television menus of the plurality of television menus including at least one television menu option that corresponds to the selected television channel". These arguments are not persuasive based on the following reasons.

The system of White provides a plurality of interactive television services such as video on demand, music and games via a plurality of television viewer channels such as "video channel", "jukebox channel" and "games channel", respectively. Each of these channels includes a menu providing a plurality of selections associated with its service. For instance, when a user tunes to "video channel", the user is presented a VOD menu comprising a list of movie category; search a database of available videos by title, actor, keyword, etc; promotion of one of more featured video titles, etc. When the user switches to "jukebox channel", a user interface is presented on screen providing feature of music selection by genre, artist, title, etc. Another example, when the user tunes to "games channel", a menu of game options such as games for single player or a community of players is presented on screen. (See col. 4, lines 12-

18; col. 7, lines 1-6; col. 8, lines 42-46). In other words, the system of White correlates each menu of the plurality of menus to each corresponding television viewer channel respective its interactive television service, and provides corresponding television menu of the plurality of menus including menu option(s) that corresponds to a particular selected television channel with respect to claim 1.

The responses to arguments regarding claims 5, 9, 14, 19, 21, and 23 are similar to responses with respect to claim 1 above.

Further regarding claims 5, 9, and 19, client terminal 14 comprises a processor or CPU 38, which controls the function of the client terminal in White system. Therefore, it is inherent that the CPU 38 correlates each menu of the plurality of menus to each corresponding television viewer channel respective its interactive television service, and provides corresponding television menu of the plurality of menus including menu option(s) that corresponds to a particular selected television channel.

Accordingly, the rejection of claims is maintained.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-4 and 14-18 are rejected under 35 U.S.C. 102(e) as being anticipated by White et al. (U.S. 6,392,664 B1).

Regarding claim 1, White discloses a method for providing a television menu comprising:

receiving a plurality of television channels provided by a respective plurality of television services via a settop terminal (within terminal 14 – see figure 1; col. 3, lines 40-47);

storing definition information (information associated with interactive services is stored within server 30 for providing menus, wherein each of menus includes option(s) related to each of services – see col. 2, lines 25-28; figure 2) regarding a plurality of television menus in which each of the television menus includes at least one television menu option (for example, game menu includes single player option or a community of players option; juke box menu includes selection of music by genre, artist, title, etc. – see col. 7, lines 2-6; col. 8, lines 42-45), the at least one television menu option being defined for each of the television menus based on each television service (television services such as video, games, celebrity chat, jukebox, news – col. 6, lines 52-55);

associated each one of the television menus of the plurality of television menus to a corresponding one of the plurality of television channels provided by the respective plurality of television service (for example, associating jukebox menu to "jukebox channel" provided by jukebox service, associating video menu to "video channel" provided by video-on-demand service, associating game menu to "games channel" provided by games service – see col. 3, lines 51-54; col. 7, lines 2-6; col. 8, lines 42-45; col. 4, lines 12-18; col. 6, lines 52-55);

selecting one of the plurality of television channels via the settop terminal (selecting or switching one of viewing channels – see col. 3, lines 41-44);

receiving an input signal (via remote control 52) from a user to provide a television a television menu (for example, the receiver receives a request from the user via remote control

52 for providing video, games, jukebox menu, etc. – see col. 3, lines 41-44 and 51-54; col. 7,

lines 2-6; col. 8, lines 42-45);

responsive to the input signal, identifying a television service corresponding to the

selected television channel currently being provided to the user via the settop terminal; and

providing one of the television menus of the plurality of television menus to the user that

includes at least one television menu option that is selected based on the identified television

service for the selected television channel (when the user selects or switch one of viewing

channels, i.e., video, games, jukebox and celebrity chat, via the remote control, the system

identifies a interactive service corresponding to the selected viewing channel currently being

provided to the user via the terminal 14 and provides one of menus including at least one option

to the user. For example, the user selects "video channel", the system provides a video menu

including options such as movie categories, search videos by title, actor, director, keywords, etc;

the user selects "games channel", the system provides a game menu including single player

option or a community of players option; the user selects "jukebox channel", the system

provides a jukebox menu including selection of music by genre, artist, title, etc. – see col. 7,

lines 2-6; col. 8, lines 42-48; col. 3, lines 41-44 and 51-54, col. 4, lines 12-20 and figure 4),

wherein a corresponding one of the television menus of the plurality of television menus

is providing for each and every television channels of the plurality television channels (viewing

channels such as video, games, celebrity chat, jukebox) in response to selection thereof, the

provided corresponding one of the television menus of the plurality of television menus including

at least one television menu option that corresponds to the selected television channel (as

addressed above, the user selects "video channel", the system provides a video menu including

options such as movie categories, search videos by title, actor, director, keywords, etc; the user

selects "games channel", the system provides a game menu including single player option or a

community of players option; the user selects "jukebox channel", the system provides a jukebox menu including selection of music by genre, artist, title, etc. – see col. 7, lines 2-6; col. 8, lines 42-48; col. 3, lines 41-44 and 51-54, col. 4, lines 12-20 and figure 4).

Regarding claim 2, White teaches that the service provided is identified by an operating system at headend 12 (see col. 2, lines 25-31).

Regarding claim 3, White teaches that the service is identified by information previously stored in memory at server 30 (see col. 2, lines 25-28).

Regarding claim 4, White teaches that a user input corresponds to a predefined input signal for switching or selecting one of viewing channels (see col. 3, lines 41-47).

Regarding claim 14, White discloses a method for providing a television menu comprising:

receiving a plurality of television channels provided by a respective plurality of television services via a settop terminal (within terminal 14 – see figure 1; col. 3, lines 40-47);

storing definition information (information associated with interactive services is stored within server 30 for providing menus, wherein each of menus includes option(s) related to each of services – see col. 2, lines 25-28; figure 2) regarding a plurality of television menus in which each of the television menus includes at least one television menu option (for example, game menu includes single player option or a community of players option; juke box menu includes selection of music by genre, artist, title, etc. – see col. 7, lines 2-6; col. 8, lines 42-45), the at least one television menu option being defined for each of the television menus based on each television service (television services such as video, games, celebrity chat, jukebox, news – col. 6, lines 52-55);

selecting one of the plurality of television channels via the settop terminal (selecting or switching one of viewing channels – see col. 3, lines 41-44);

receiving an input signal (via remote control 52) from a user to provide a television a

television menu (for example, the receiver receives a request from the user via remote control

52 for providing video, games, jukebox menu, etc. – see col. 3, lines 41-44 and 51-54; col. 7,

lines 2-6; col. 8, lines 42-45);

associated each one of the television menus of the plurality of television menus to a

corresponding one of the plurality of television channels provided by the respective plurality of

television service (for example, associating jukebox menu to "jukebox channel" provided by

jukebox service, associating video menu to "video channel" provided by video-on-demand

service, associating game menu to "games channel" provided by games service – see col. 3,

lines 51-54; col. 7, lines 2-6; col. 8, lines 42-45; col. 4, lines 12-18; col. 6, lines 52-55);

responsive to the input signal, identifying a television service corresponding to the

selected television channel currently being provided to the user via the settop terminal; and

providing one of the television menus of the plurality of television menus to the user that

includes at least one television menu option that is selected based on the identified television

service for the selected television channel (when the user selects or switch one of viewing

channels, i.e., video, games, jukebox and celebrity chat, via the remote control, the system

identifies a interactive service corresponding to the selected viewing channel currently being

provided to the user via the terminal 14 and provides one of menus including at least one option

to the user. For example, the user selects "video channel", the system provides a video menu

including options such as movie categories, search videos by title, actor, director, keywords, etc;

the user selects "games channel", the system provides a game menu including single player

option or a community of players option; the user selects "jukebox channel", the system

provides a jukebox menu including selection of music by genre, artist, title, etc. – see col. 7,

lines 2-6; col. 8, lines 42-48; col. 3, lines 41-44 and 51-54, col. 4, lines 12-20 and figure 4),

wherein a corresponding one of the television menus of the plurality of television menus

is providing for each and every television channels of the plurality television channels (viewing

channels such as video, games, celebrity chat, jukebox) in response to selection thereof, the

provided corresponding one of the television menus of the plurality of television menus including

at least one television menu option that corresponds to the selected television channel (as

addressed above, the user selects "video channel", the system provides a video menu including

options such as movie categories, search videos by title, actor, director, keywords, etc; the user

selects "games channel", the system provides a game menu including single player option or a

community of players option; the user selects "jukebox channel", the system provides a jukebox

menu including selection of music by genre, artist, title, etc. – see col. 7, lines 2-6; col. 8, lines

42-48; col. 3, lines 41-44 and 51-54, col. 4, lines 12-20 and figure 4).

Regarding claim 15, White teaches that the television service is a purchasable media

presentation (video-on-demand program – see col. 3, lines 51-53; col. 4, lines 59-62).

Regarding claim16, White teaches that the service provided is identified by an operating

system at headend 12 (see col. 2, lines 25-31).

Regarding claim 17, White teaches that the service is identified by information previously

stored in memory at server 30 (see col. 2, lines 25-28).

Regarding claim 18, White teaches that a user input corresponds to a predefined input

signal for switching or selecting one of viewing channels (see col. 3, lines 41-47).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 5-13 and 19-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over

White et al. (U.S. 6,392,664 B1) in view of Hendricks et al. (US 6,738,978 B1).

Regarding claim 5, White discloses a programmable television services client device

(14) that provides television control services, said client device (14 - see figure 3) comprising:

a device (within 14) for selecting one of a plurality of television channels provided by a

respective plurality of television services (see figures 1 and 3; col. 3, lines 40-47);

memory (40, 42) for storing information (see col. 3, lines 1-8);

a processor (38) coupled to the memory that is configured to receive an input signal (via

remote control 52) from a user (for example, the receiver receives a request from the user via

remote control 52 for providing video, games, jukebox menu, etc. – see col. 3, lines 41-44 and

51-54; col. 7, lines 2-6; col. 8, lines 42-45), responsive to the input signal identify a television

service corresponding to the selected television channel currently being provided to the user,

associated each one of the television menus of the plurality of television menus to a

corresponding one of the plurality of television channels provided by the respective plurality of

television service (for example, associating jukebox menu to "jukebox channel" provided by

jukebox service, associating video menu to "video channel" provided by video-on-demand

service, associating game menu to "games channel" provided by games service – see col. 3,

lines 51-54; col. 7, lines 2-6; col. 8, lines 42-45; col. 4, lines 12-18; col. 6, lines 52-55), and

provide the corresponding one of television menus of the plurality of television menus to the

user that includes at least one television menu option that is selected based on the identified

television service for the selected television channel (when the user selects or switch one of

viewing channels, i.e., video, games, jukebox and celebrity chat, via the remote control, the

system identifies a interactive service corresponding to the selected viewing channel currently

being provided to the user via the terminal 14 and provides one of menus including at least one

option to the user. For example, the user selects "video channel", the system provides a video menu including options such as movie categories, search videos by title, actor, director, keywords, etc; the user selects "games channel", the system provides a game menu including single player option or a community of players option; the user selects "jukebox channel", the system provides a jukebox menu including selection of music by genre, artist, title, etc. – see col. 7, lines 2-6; col. 8, lines 42-48; col. 3, lines 41-44 and 51-54, col. 4, lines 12-20 and figure 4),

wherein a corresponding one of the television menus of the plurality of television menus is providing for each and every television channels of the plurality television channels (viewing channels such as video, games, celebrity chat, jukebox) in response to selection thereof, the provided corresponding one of the television menus of the plurality of television menus including at least one television menu option that corresponds to the selected television channel (as addressed above, the user selects "video channel", the system provides a video menu including options such as movie categories, search videos by title, actor, director, keywords, etc; the user selects "games channel", the system provides a game menu including single player option or a community of players option; the user selects "jukebox channel", the system provides a jukebox menu including selection of music by genre, artist, title, etc. – see col. 7, lines 2-6; col. 8, lines 42-48; col. 3, lines 41-44 and 51-54, col. 4, lines 12-20 and figure 4).

White system provides information associated with interactive services from server 30 to the terminal 14 for providing menus, wherein each of menus includes at least one television option related to each of services (see col. 2, lines 25-28; figure 2), for example, game menu includes single player option or a community of players option; juke box menu includes selection of music by genre, artist, title, etc. (see col. 7, lines 2-6; col. 8, lines 42-45). It is noted that the at

least one television menu option being defined for each of the television menus based on each

services such as video, games, celebrity chat and jukebox (see col. 6, lines 52-55).

White does not specifically teach that the client device 14 comprises memory for storing

definitional information regarding television menus. However, Hendricks discloses that set top

terminal 220 is able to store menu templates in volatile memory for creating menus that are

displayed on a subscriber's television (see col. 13, lines 8-40). Therefore, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to modify White's

system by storing menu templates or information regarding a plurality of television menus as

taught by Hendricks to allow processor of the set top terminal locally accessing the information

stored in memory.

Regarding claim 6, White teaches that the service is identified by information previously

stored in memory at server 30 (see col. 2, lines 25-28).

Regarding claim 7, White teaches that the service provided is identified by an operating

system at headend 12 (see col. 2, lines 25-31).

Regarding claim 8, White teaches that a user input corresponds to a predefined input

signal for switching or selecting one of viewing channels (see col. 3, lines 41-47).

Regarding claim 9, White discloses a programmable television services client device

(14) that provides television control services, said client device (14 - see figure 3) comprising:

a device (within 14) for selecting one of a plurality of television channels (see figures 1

and 3; col. 3, lines 40-47);

memory (40, 42) for storing information (see col. 3, lines 1-8);

a processor (38) coupled to the memory that is configured to receive an input signal (via

remote control 52) from a user (for example, the receiver receives a request from the user via

remote control 52 for providing video, games, jukebox menu, etc. – see col. 3, lines 41-44 and

51-54; col. 7, lines 2-6; col. 8, lines 42-45), responsive to the input signal identify a television

service corresponding to the selected television channel currently being provided to the user,

associated each one of the television menus of the plurality of television menus to a

corresponding one of the plurality of television channels provided by the respective plurality of

television service (for example, associating jukebox menu to "jukebox channel" provided by

jukebox service, associating video menu to "video channel" provided by video-on-demand

service, associating game menu to "games channel" provided by games service – see col. 3,

lines 51-54; col. 7, lines 2-6; col. 8, lines 42-45; col. 4, lines 12-18; col. 6, lines 52-55), and

provide the corresponding one of television menus of the plurality of television menus to the

user that includes at least one television menu option that is selected based on the identified

television service for the selected television channel (when the user selects or switch one of

viewing channels, i.e., video, games, jukebox and celebrity chat, via the remote control, the

system identifies a interactive service corresponding to the selected viewing channel currently

being provided to the user via the terminal 14 and provides one of menus including at least one

option to the user. For example, the user selects "video channel", the system provides a video

menu including options such as movie categories, search videos by title, actor, director,

keywords, etc; the user selects "games channel", the system provides a game menu including

single player option or a community of players option; the user selects "jukebox channel", the

system provides a jukebox menu including selection of music by genre, artist, title, etc. – see

col. 7, lines 2-6; col. 8, lines 42-48; col. 3, lines 41-44 and 51-54, col. 4, lines 12-20 and figure

4),

wherein a corresponding one of the television menus of the plurality of television menus

is providing for each and every television channels of the plurality television channels (viewing

channels such as video, games, celebrity chat, jukebox) in response to selection thereof, the

provided corresponding one of the television menus of the plurality of television menus including

at least one television menu option that corresponds to the selected television channel (as

addressed above, the user selects "video channel", the system provides a video menu including

options such as movie categories, search videos by title, actor, director, keywords, etc; the user

selects "games channel", the system provides a game menu including single player option or a

community of players option; the user selects "jukebox channel", the system provides a jukebox

menu including selection of music by genre, artist, title, etc. – see col. 7, lines 2-6; col. 8, lines

42-48; col. 3, lines 41-44 and 51-54, col. 4, lines 12-20 and figure 4).

White system provides information associated with interactive services from server 30 to

the terminal 14 for providing menus, wherein each of menus includes at least one television

option related to each of services (see col. 2, lines 25-28; figure 2), for example, game menu

includes single player option or a community of players option; juke box menu includes selection

of music by genre, artist, title, etc. (see col. 7, lines 2-6; col. 8, lines 42-45). It is noted that the at

least one television menu option being defined for each of the television menus based on each

services such as video, games, celebrity chat and jukebox (see col. 6, lines 52-55).

White does not specifically teach that the client device 14 comprises memory for storing

definitional information regarding television menus. However, Hendricks discloses that set top

terminal 220 is able to store menu templates in volatile memory for creating menus that are

displayed on a subscriber's television (see col. 13, lines 8-40). Therefore, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to modify White's

system by storing menu templates or information regarding a plurality of television menus as

taught by Hendricks to allow processor of the set top terminal locally accessing the information

stored in memory.

Regarding claim 10, White teaches that the television service is a purchasable media presentation (video-on-demand program – see col. 3, lines 51-53; col. 4, lines 59-62).

Regarding claim 11, White teaches that the service is identified by information previously stored in memory at server 30 (see col. 2, lines 25-28).

Regarding claim 12, White teaches that the service provided is identified by an operating system at headend 12 (see col. 2, lines 25-31).

Regarding claim 13, White teaches that a user input corresponds to a predefined input signal for switching or selecting one of viewing channels (see col. 3, lines 41-47).

Regarding claim 19, White discloses a programmable television services client device (14) that provides television control services, said client device (14 - see figure 3) comprising:

a device (within 14) for selecting one of a plurality of television channels (see figures 1 and 3; col. 3, lines 40-47);

memory (40, 42) for storing information (see col. 3, lines 1-8);

a processor (38) coupled to the memory that is configured to receive an input signal (via remote control 52) from a user (for example, the receiver receives a request from the user via remote control 52 for providing video, games, jukebox menu, etc. – see col. 3, lines 41-44 and 51-54; col. 7, lines 2-6; col. 8, lines 42-45), responsive to the input signal identify a television service corresponding to the selected television channel currently being provided to the user, associated each one of the television menus of the plurality of television menus to a corresponding one of the plurality of television channels provided by the respective plurality of television service (for example, associating jukebox menu to "jukebox channel" provided by jukebox service, associating video menu to "video channel" provided by video-on-demand service, associating game menu to "games channel" provided by games service – see col. 3, lines 51-54; col. 7, lines 2-6; col. 8, lines 42-45; col. 4, lines 12-18; col. 6, lines 52-55), and

provide the corresponding one of television menus of the plurality of television menus to the

user that includes at least one television menu option that is selected based on the identified

television service for the selected television channel (when the user selects or switch one of

viewing channels, i.e., video, games, jukebox and celebrity chat, via the remote control, the

system identifies a interactive service corresponding to the selected viewing channel currently

being provided to the user via the terminal 14 and provides one of menus including at least one

option to the user. For example, the user selects "video channel", the system provides a video

menu including options such as movie categories, search videos by title, actor, director,

keywords, etc; the user selects "games channel", the system provides a game menu including

single player option or a community of players option; the user selects "jukebox channel", the

system provides a jukebox menu including selection of music by genre, artist, title, etc. – see

col. 7, lines 2-6; col. 8, lines 42-48; col. 3, lines 41-44 and 51-54, col. 4, lines 12-20 and figure

4),

wherein a corresponding one of the television menus of the plurality of television menus

is providing for each and every television channels of the plurality television channels (viewing

channels such as video, games, celebrity chat, jukebox) in response to selection thereof, the

provided corresponding one of the television menus of the plurality of television menus including

at least one television menu option that corresponds to the selected television channel (as

addressed above, the user selects "video channel", the system provides a video menu including

options such as movie categories, search videos by title, actor, director, keywords, etc; the user

selects "games channel", the system provides a game menu including single player option or a

community of players option; the user selects "jukebox channel", the system provides a jukebox

menu including selection of music by genre, artist, title, etc. – see col. 7, lines 2-6; col. 8, lines

42-48; col. 3, lines 41-44 and 51-54, col. 4, lines 12-20 and figure 4).

White system provides information associated with interactive services from server 30 to the terminal 14 for providing menus, wherein each of menus includes at least one television option related to each of services (see col. 2, lines 25-28; figure 2), for example, game menu includes single player option or a community of players option; juke box menu includes selection of music by genre, artist, title, etc. (see col. 7, lines 2-6; col. 8, lines 42-45). It is noted that the at least one television menu option being defined for each of the television menus based on each services such as video, games, celebrity chat and jukebox (see col. 6, lines 52-55).

White does not specifically teach that the client device 14 comprises memory for storing definitional information regarding television menus. However, Hendricks discloses that set top terminal 220 is able to store menu templates in volatile memory for creating menus that are displayed on a subscriber's television (see col. 13, lines 8-40). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify White's system by storing menu templates or information regarding a plurality of television menus as taught by Hendricks to allow processor of the set top terminal locally accessing the information stored in memory.

Regarding claim 20, White teaches that the television channel is a video on demand channel ("video channel" providing video-on-demand service – see col. 3, lines 51-54).

Regarding claim 21, White discloses a programmable television services client device (14) that provides television control services, said client device (14 - see figure 3) comprising:

means for selecting one of a plurality of television channels (see figures 1 and 3; col. 3, lines 40-47);

means for storing information (see col. 3, lines 1-8);

means for receiving an input signal (via remote control 52) from a user (for example, the receiver receives a request from the user via remote control 52 for providing video, games,

jukebox menu, etc. – see col. 3, lines 41-44 and 51-54; col. 7, lines 2-6; col. 8, lines 42-45); and

responsive to the input signal, means for identifying a television service corresponding to the

selected television channel currently being provided to the user, means for associating each

one of the television menus of the plurality of television menus to a corresponding one of the

plurality of television channels provided by the respective plurality of television service (for

example, associating jukebox menu to "jukebox channel" provided by jukebox service,

associating video menu to "video channel" provided by video-on-demand service, associating

game menu to "games channel" provided by games service – see col. 3, lines 51-54; col. 7,

lines 2-6; col. 8, lines 42-45; col. 4, lines 12-18; col. 6, lines 52-55), and means for providing the

corresponding one of television menus of the plurality of television menus to the user that

includes at least one television menu option that is selected based on the identified television

service for the selected television channel (when the user selects or switch one of viewing

channels, i.e., video, games, jukebox and celebrity chat, via the remote control, the system

identifies a interactive service corresponding to the selected viewing channel currently being

provided to the user via the terminal 14 and provides one of menus including at least one option

to the user. For example, the user selects "video channel", the system provides a video menu

including options such as movie categories, search videos by title, actor, director, keywords, etc;

the user selects "games channel", the system provides a game menu including single player

option or a community of players option; the user selects "jukebox channel", the system

provides a jukebox menu including selection of music by genre, artist, title, etc. – see col. 7,

lines 2-6; col. 8, lines 42-48; col. 3, lines 41-44 and 51-54, col. 4, lines 12-20 and figure 4),

wherein a corresponding one of the television menus of the plurality of television menus

is providing for each and every television channels of the plurality television channels (viewing

channels such as video, games, celebrity chat, jukebox) in response to selection thereof, the

provided corresponding one of the television menus of the plurality of television menus including

at least one television menu option that corresponds to the selected television channel (as

addressed above, the user selects "video channel", the system provides a video menu including

options such as movie categories, search videos by title, actor, director, keywords, etc; the user

selects "games channel", the system provides a game menu including single player option or a

community of players option; the user selects "jukebox channel", the system provides a jukebox

menu including selection of music by genre, artist, title, etc. – see col. 7, lines 2-6; col. 8, lines

42-48; col. 3, lines 41-44 and 51-54, col. 4, lines 12-20 and figure 4).

White system provides information associated with interactive services from server 30 to

the terminal 14 for providing menus, wherein each of menus includes at least one television

option related to each of services (see col. 2, lines 25-28; figure 2), for example, game menu

includes single player option or a community of players option; juke box menu includes selection

of music by genre, artist, title, etc. (see col. 7, lines 2-6; col. 8, lines 42-45). It is noted that the at

least one television menu option being defined for each of the television menus based on each

services such as video, games, celebrity chat and jukebox (see col. 6, lines 52-55).

White does not specifically teach that the client device 14 comprises memory for storing

definitional information regarding television menus. However, Hendricks discloses that set top

terminal 220 is able to store menu templates in volatile memory for creating menus that are

displayed on a subscriber's television (see col. 13, lines 8-40). Therefore, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to modify White's

system by storing menu templates or information regarding a plurality of television menus as

taught by Hendricks to allow processor of the set top terminal locally accessing the information

stored in memory.

Regarding claim 22, White teaches that the television channel is a video on demand channel ("video channel" providing video-on-demand service – see col. 3, lines 51-54).

Regarding claim 23, White discloses a programmable television services client device (14) that provides television control services, said client device (14 - see figure 3) comprising:

means for selecting one of a plurality of television channels (see figures 1 and 3; col. 3, lines 40-47);

means for storing information (see col. 3, lines 1-8);

means for receiving an input signal (via remote control 52) from a user (for example, the receiver receives a request from the user via remote control 52 for providing video, games, jukebox menu, etc. – see col. 3, lines 41-44 and 51-54; col. 7, lines 2-6; col. 8, lines 42-45); and responsive to the input signal, means for identifying a television service corresponding to the selected television channel currently being provided to the user, means for associating each one of the television menus of the plurality of television menus to a corresponding one of the plurality of television channels provided by the respective plurality of television service (for example, associating jukebox menu to "jukebox channel" provided by jukebox service, associating video menu to "video channel" provided by video-on-demand service, associating game menu to "games channel" provided by games service – see col. 3, lines 51-54; col. 7, lines 2-6; col. 8, lines 42-45; col. 4, lines 12-18; col. 6, lines 52-55), and means for providing the corresponding one of television menus of the plurality of television menus to the user that includes at least one television menu option that is selected based on the identified television service for the selected television channel (when the user selects or switch one of viewing channels, i.e., video, games, jukebox and celebrity chat, via the remote control, the system identifies a interactive service corresponding to the selected viewing channel currently being provided to the user via the terminal 14 and provides one of menus including at least one option

to the user. For example, the user selects "video channel", the system provides a video menu including options such as movie categories, search videos by title, actor, director, keywords, etc; the user selects "games channel", the system provides a game menu including single player option or a community of players option; the user selects "jukebox channel", the system provides a jukebox menu including selection of music by genre, artist, title, etc. – see col. 7, lines 2-6; col. 8, lines 42-48; col. 3, lines 41-44 and 51-54, col. 4, lines 12-20 and figure 4),

wherein a corresponding one of the television menus of the plurality of television menus is providing for each and every television channels of the plurality television channels (viewing channels such as video, games, celebrity chat, jukebox) in response to selection thereof, the provided corresponding one of the television menus of the plurality of television menus including at least one television menu option that corresponds to the selected television channel (as addressed above, the user selects "video channel", the system provides a video menu including options such as movie categories, search videos by title, actor, director, keywords, etc; the user selects "games channel", the system provides a game menu including single player option or a community of players option; the user selects "jukebox channel", the system provides a jukebox menu including selection of music by genre, artist, title, etc. – see col. 7, lines 2-6; col. 8, lines 42-48; col. 3, lines 41-44 and 51-54, col. 4, lines 12-20 and figure 4).

White system provides information associated with interactive services from server 30 to the terminal 14 for providing menus, wherein each of menus includes at least one television option related to each of services (see col. 2, lines 25-28; figure 2), for example, game menu includes single player option or a community of players option; juke box menu includes selection of music by genre, artist, title, etc. (see col. 7, lines 2-6; col. 8, lines 42-45). It is noted that the at least one television menu option being defined for each of the television menus based on each services such as video, games, celebrity chat and jukebox (see col. 6, lines 52-55).

White does not specifically teach that the client device 14 comprises memory for storing definitional information regarding television menus. However, Hendricks discloses that set top terminal 220 is able to store menu templates in volatile memory for creating menus that are displayed on a subscriber's television (see col. 13, lines 8-40). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify White's system by storing menu templates or information regarding a plurality of television menus as taught by Hendricks to allow processor of the set top terminal locally accessing the information stored in memory.

Regarding claim 24, White teaches that the television service is a purchasable media presentation (video-on-demand program – see col. 3, lines 51-53; col. 4, lines 59-62).

Conclusion

6.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc K. Vu whose telephone number is 571-272-7306. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you

would like assistance from a USPTO Customer Service Representative or access to the

automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ngoc K. Vu
Primary Examiner
Art Unit 2623

July 31, 2006